

A supplement to an ordinance entitled, "An ordinance for ascertaining the mode of disposing of lands in the Western Territory"

A Supplement to an **ORDINANCE** entitled, "An **ORDINANCE** for ascertaining the mode of disposing of **LANDS** in the Western Territory."

WHEREAS it is found to be inconvenient to execute that part of the land ordinance passed May 20th, 1785, which directs that certain proportions of lands be allotted to the several states, to be sold by the loan officers in each state: And whereas a sufficient quantity of lands for satisfying the bounties due to the late army was set apart by the act of Congress, passed the 22d of October last, whereby further drafts for satisfying military bounties in lands, from the townships lately surveyed, are become unnecessary:

Be it ordained by the United States in Congress assembled, That so much of the said ordinance passed May the 20th, 1785, as ordains, that certain parts of the townships therein directed to be surveyed, shall be drawn for in the name of the Thirteen States respectively, according to the quotas in the last preceding requisitions in all the states, in order that the same be sold by the said loan-officers; and also, that the secretary at war shall take by lot from the townships, when surveyed, certain proportions of land for the use of the late army, so far as the same may respect future drafts, be, and the same are hereby repealed.

Be it further ordained, That the board of Treasury be, and they hereby are authorised and directed to sell those parts of the seven ranges of townships surveyed in the Western Territory, which are not already sold or drawn for the use of the late army, in the same manner, on the same conditions, and under the same restrictions and limitations as were prescribed in the resolutions of Congress of April 21, 1787, except as to the place of sale,

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and the daily continuance thereof, which may be so far varied, that the said board may commence the sales as New-York or Philadelphia, and adjourn the same from time to time, to any part or parts of the United States which they may judge most proper for the purpose.

Be it further ordained, That the secretary at war issue warrants for bounties of land to the several officers and soldiers of the late continental army who may be entitled to such bounties, or to their respective assigns or legal representatives, certifying therein the rank or station of each officer, and the line, regiment, corps and company in which the officer or soldier served.

Be it further ordained, That the geographer, by warrant under his hand and seal, appoint one surveyor to each of the two tracts or districts of land set apart for satisfying the said bounties, by the act of Congress of the 22d of October last; and that the persons entitled to lands by virtue of warrants issued as aforesaid, shall be at liberty to locate them on any part [of?] [the?] [two?] tracts of land set apart as aforesaid; provided that each location and survey shall be bounded on one side by one of the external boundaries of one of the tracts aforesaid, or by some prior survey therein; and the external lines of each survey shall run east and west, north and south, except where the same may bind upon a river, and the several surveys shall be in squares, unless where restrained by rivers, or by the lines of former surveys.

And in all cases where a survey shall be bounded by a navigable river on any one side, or a navigable river shall pass through the same, it shall extend twice as far back from on across such river as upon it, and no interstices shall be left between surveys less than a mile wide; and all the lands to which any person may be entitled shall be laid off to him in one entire survey.

Be it further ordained, That each surveyor upon making any survey, shall protract and lay the same down on a general map to be kept and preserved, and shall make a record of

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each survey in a book to be kept for that purpose, and make out and deliver a copy of the survey, certified under his hand, to the proprietor or proprietors thereof; and the surveyor shall retain in his hands all warrants by him laid out and located, until he can transmit the same to the board of treasury, which he shall do within one year after laying out the land, certifying thereon under his hand, that the same is satisfied. That the surveyors to be appointed as herein before directed, shall be entitled to receive for the services enjoined them by this ordinance, so much only as shall be allowed and fixed by the governor and judges of the Western Territory, and shall be liable to be displaced by the Geographer for neglect of duty or other misbehavior; in which case he shall supply any vacancy so happening, by a new appointment.

That each surveyor who may be appointed under this ordinance, before he enters upon the duties of his office shall take an oath or affirmation, that he will justly and truly execute the trust reposed in him as surveyor of a district of land in the Western Territory, according to the best of his skill and understanding, without favor or partiality. Which oath or affirmation shall be taken before the governor or either of the judges of the Western Territory, or one of the justices of the supreme court in either of the United States, and being duly attested, shall be transmitted to the secretary of Congress to be by him filed of record.

That the maps and records before-mentioned, shall at all times be subject to the orders of Congress, to be removed or deposited wherever they shall direct.

That if any officer or soldier, or assignee or grantee of either, shall desire to have their bounty of land allotted in the townships or fractional parts thereof, lately drawn for the army by the secretary at war, out of the first four ranges of townships surveyed west of the Ohio, and shall cause such his desire in writing, together with his land warrant to be deposited in the office of the secretary at war, the said secretary, whenever warrants sufficient to cover the land so drawn shall be deposited in his office for that purpose; shall cause the land to be divided among such applicants by lot, according to their respective

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rights, for which surveys shall be made out and delivered to the several proprietors, signed by the geographer of the United States, which surveys shall be recorded in a book by the geographer, and lodged in the treasury office.

And whereas lands are set apart for satisfying military bounties not only in the said districts and townships, but also within the limits of purchases made by several companies.

Be it further ordained, that the persons who have purchased tracts of the federal lands shall have credit for so much last as the warrants issued as aforesaid, and delivered by them to the board of treasury cover; provided that in no case deductions on account of military bounties shall exceed one seventh part of the purchase.

Whereas Congress on the 13th day of September, 1783, fixed the terms and conditions upon which they would accept a cession of claims to Western Territory from the state of Virginia; and whereas the said state on the 20th day of October, 1783, agreed to the same terms and conditions, and by her act authorised her delegates in Congress to convey, transfer and assign to the United States, the right, title and claim of the said state to the lands within her charter, and northwest of the river Ohio, on the said terms and conditions proposed by Congress: And the said delegates made a conveyance accordingly, on the said conditions; among which conditions is the following, to wit.

That in case the quantity of good lands on the south-east side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law, to the Virginia troops upon continental establishment, should, from the North Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the rivers Scioto and Little Miami on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia. And whereas the said deficiency of lands on the south-east side of the Ohio has not in any manner been ascertained to Congress, nor has it been alledged by the

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said state or troops that there is any deficiency of such lands on the [??????], [????] in of the said North-Carolina line further than was expected, or from any other cause, which deficiency ought to be shewn previously to lands being laid off for the said troops between the said rivers Scioto and Miami. *Be it further ordained*, That no part of the said tract of land between the rivers Little Miami and Scioto shall be disposed of by the United States within the term of two years from the passing of this ordinance, in order that sufficient time may be given to the state of Virginia or those entitled to bounties under the said state, to ascertain the quantity of land on the north-west side of the Ohio, requisite to make good the deficiency mentioned in the deed of cession.